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EXAMINER
LEMMA, SAMSON B

ART UNIT	PAPER NUMBER
2132	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>26 November 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-14,17-20,33 and 34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) <u>11-14 and 17-20</u> is/are allowed.

6) ☒ Claim(s) <u>1-10,33 and 34</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in reply to an amendment filed on November 26, 2007. Except independent claim 1, the rest of the independent **claims namely claims 11, 12, 17-18 are** amended. Claims 15-16 and 21-22 are canceled and claims 23-32 are withdrawn from consideration. Thus claims **1-14, 17-20 and 33-34** are pending/examined.

2.   In the pervious office action Examiner objected **Claims 15-16 and 21-22** as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

- Claim 16 is canceled and incorporated into **independent Claim 11.**

- Claim 15 is canceled and the limitations of Claim 11, from which claim 12 depends, and the limitations of Claim 15, which depends from Claim 12, **have been incorporated into Claim 12.**

- Claim 22 is canceled and the limitations of claim is incorporated **into independent Claim 17.**

- The limitations of Claim 17, from which Claim 18 depends, and the limitations of Claim 22, which

depends from Claim 18, have **been incorporated into
Claim 18.**

Priority

3.   This application does not claim priority of an application. Therefore, the

effective filling data for the subject matter defined in the pending claims

of this application is **07/28/2003.**

Response to Arguments

4.   Applicant's arguments with respect to the claims <u>11-14 and 17-20</u>

regarding the 102(a) rejection have been considered but are moot in view

of allowance.

The 112 rejection set forth in the pervious office action is

withdrawn.

Applicant's arguments with respect to the **claims 1-10 and 33-34**

have been fully considered but they are not persuasive.

With regard to the 102 (a) rejection set forth to the **claims 1-10

and 33-34,** the examiner counters that a careful reading of **Rokov**

reveals that feature that is argued is disclosed by the reference.

In order to show how each and every limitation of the independent

claim 1 is disclosed by the reference on the record the examiner

would show the following.

For instance,

Referring to the independent claim 1, Rokov the art on the record discloses an article comprising: a machine-readable storage medium having a plurality of machine accessible instructions, which if executed by a machine, cause the machine to perform operations comprising:

- **Registering one or more capabilities with a central repository**; [figure 1, see "CIM Repository"/or CIMOM Repository indicated on page 4, second column , 1st paragraph]

- **Determining if one or more capabilities associated with a blade device match a capability policy; and if the blade device capabilities do not match the capability policy, isolating the blade device from a computing domain**. [See on page 4, first column, and last paragraph up to second column 1st paragraph] (ON page 4, first column, last paragraph up to second column 1st paragraph, it has been disclosed that depending on the automated policies that have been configured, the CMM sends an IPMI command to power on the spare blade. It also sends any extra information about a failed blade, re-configures the network switch to put the new blade in the active configuration and using IPMI commands, turns on the visual indicators on the failed blade (to be diagnosed/repaired offline). The BMC on the new blade

communicates performance and other relevant data back to the
CMM. Any updated information is then reflected back in the
CIMOM Repository and this meets the recitation of the claim
limitation)

Claim Rejections - 35 USC § 102

6. <u>**Claims 1-10 and 33-34**</u> are rejected under 35 U.S.C. 102(a) as being
anticipated by **an article written on Computer Technology Review, by
Steve Rokov (**hereinafter referred as **Rokov**)(See reference U) (Published
on June 2003)

7. <u>**As per claim 1**</u> **Rokov discloses an article comprising: a
machine-readable storage medium having a plurality of
machine accessible instructions, which if executed by a
machine, cause the machine to perform operations
comprising:**

   • **Registering one or more capabilities with a central
   repository**; [figure 1, see "CIM Respository"/or CIMOM Respository
   indicated on page 4, second column , 1st paragraph]

   • **Determining if one or more capabilities associated with a
   blade device match a capability policy; and if the blade device
   capabilities do not match the capability policy, isolating the
   blade device from a computing domain.** [See on page 4, first
   column, last paragraph up to second column 1st paragraph] (ON

page 4, first column, last paragraph up to second column 1st

paragraph, it has been disclosed that depending on the automated

policies that have been configured, the CMM sends an IPMI

command to power on the spare blade. It also sends any extra

information about a failed blade, re-configures the network switch

to put the new blade in the active configuration and using IPMI

commands, turns on the visual indicators on the failed blade (to be

dignosed/repaired offline). The BMC on the new blade

communicates performance and other relevant data back to the

CMM. Any updated information is then reflected back in the

CIMOM Respository and this meets the recitation of the claim

limitation)

8. **As per claim 2 Rokov discloses the method/system/ an article**
   as applied to claims above. Furthermore Rokov discloses the
   method/system, further comprising: a data communication
   pathway coupled to the blade device and to the chassis
   management logic. [See figure 4]

9. **As per claims 3 and 33-34 Rokov discloses the**
   method/system/ an article as applied to claims above.
   Furthermore Rokov discloses the method/system, wherein:
   the chassis management logic is further to isolate the blade
   device from a computing domain responsive to determining
   that the blade device capabilities do not match the capability

policy. [See on page 4, first column, last paragraph up to second column 1st paragraph] (ON page 4, first column, last paragraph up to second column 1st paragraph, it has been disclosed that depending on the automated policies that have been configured, the CMM sends an IPMI command to power on the spare blade. It also sends any extra information about a failed blade, re-configures the network switch to put the new blade in the active configuration and using IPMI commands, turns on the visual indicators on the failed blade (to be dignosed/repaired offline). The BMC on the new blade communicates performance and other relevant data back to the CMM. Any updated information is then reflected back in the CIMOM Respository and this meets the recitation of the claim limitation)

10. **As per claims 4-6**, **Rokov discloses the method/system/ an article as applied to claims above. Furthermore Rokov discloses the method/system, further comprising: a plurality of blade devices; wherein each of the plurality of blade devices is coupled to the data communication pathway [See figure 4]; and wherein the chassis management logic is further to determine, for at least one of the plurality of blade devices, whether blade capabilities associated with the at least one blade device match the capability policy.** [See on page 4, first column, last paragraph up to second column 1st paragraph] (ON

page 4, first column, last paragraph up to second column 1st

paragraph, it has been disclosed that depending on the automated

policies that have been configured, the CMM sends an IPMI

command to power on the spare blade. It also sends any extra

information about a failed blade, re-configures the network switch

to put the new blade in the active configuration and using IPMI

commands, turns on the visual indicators on the failed blade (to be

dignosed/repaired offline). The BMC on the new blade

communicates performance and other relevant data back to the

CMM. Any updated information is then reflected back in the

CIMOM Respository and this meets the recitation of the claim

limitation)

11. **As per claim 7 Rokov discloses the method/system/ an article
    as applied to claims above. Furthermore Rokov discloses the
    method/system, further comprising**: a baseboard memory
    controller, wherein the baseboard memory controller is to control
    communication between the blade device and the chassis
    management logic. [See figure 1 and 4]

12. **As per claims 8-9 Rokov discloses the method/system/ an
    article as applied to claims above. Furthermore Rokov
    discloses the method/system**, wherein: the blade device includes
    logic to perform boot processing. [See page 2]

13. **As per claims 10 Rokov discloses the method/system/ an**

   article as applied to claims above. Furthermore Rokov

   discloses the method/system, further comprising: a chassis to

   receive the blade device. [See figure 4, Blade Chassis and Blades]

Allowable Subject Matter

14. **Claims 11-14 and 17-20 are allowed.**

Conclusion

   15.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the
extension of time policy as set forth in 37 CFR 1.136(a).

   A shortened statutory period for reply to this final action is set to expire
   THREE MONTHS from the mailing date of this action. In the event a first
   reply is filed within TWO MONTHS of the mailing date of this final action
   and the advisory action is not mailed until after the end of the THREE-
   MONTH shortened statutory period, then the shortened statutory period
   will expire on the date the advisory action is mailed, and any extension
   fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date
   of the advisory action. In no event, however, will the statutory period for
   reply expire later than SIX MONTHS from the mailing date of this final
   action.

   Any inquiry concerning this communication or earlier
   communications from the examiner should be directed to Samson
   B Lemma whose telephone number is 571-272-3806. The
   examiner can normally be reached on Monday-Friday (8:00 am---4:
   30 pm).

   If attempts to reach the examiner by telephone are unsuccessful, the
   examiner's supervisor, BARRON JR GILBERTO can be reached on 571-
   272-3799. The fax phone number for the organization where this
   application or proceeding is assigned is 571-273-8300.

   /Samson B Lemma/

   Examiner, Art Unit 2132

   03/10/2008

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132